

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**

**PROTECTIVE LIFE INSURANCE
COMPANY,**

Plaintiff,

v.

Case No. 3:18-CV-269-JMV

**CHARMA HUGHES HASKINS
ANTONIO HUGHES
TAQUITA REYNOLDS
WALTER BAXTER,**

Defendants.

ORDER ON MOTION FOR DEFAULT JUDGMENT

This motion is before the court upon Cross-Claimant's, Charma Hughes Haskins and Antonio Hughes, motion for default judgment against Cross-Defendant TaQuita Reynolds pursuant to Fed. R. Civ. P. 55(b).

Ms. Reynolds, having not been properly served process, entered an appearance in this matter on September 12, 2019. Doc. #67. Subsequently, on September 16, 2019, Ms. Reynolds signed an Agreed Order pursuant to which she waived service of process and agreed to file an answer or other responsive pleading within thirty (30) days of her entry of appearance. Doc. #70 at 2.

Cross-claimants filed the instant motion for default judgment under Rule 55(b) on October 17, 2019. However, cross-claimants failed to satisfy the requirement of Rule 55(a) to seek the clerk's entry of default, thereby giving Ms. Reynolds notice of the same, before filing the instant motion for default judgment. Doc. #71. Therefore, this motion is not properly before

the court.

IT IS THEREFORE ORDERED that the instant motion is hereby DENIED as improper.

SO ORDERED this, the 5th day of November, 2019.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE